

MAR 26 2009

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

MARIA GUADALUPE GARCIA
ROCHEL,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 07-74746

Agency No. A095-447-637

MEMORANDUM *

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted March 18, 2008**

Before: LEAVY, HAWKINS and TASHIMA, Circuit Judges.

Maria Guadalupe Garcia Rochel, a native and citizen of Mexico, petitions
for review of a Board of Immigration Appeals decision dismissing her appeal of an

* This disposition is not appropriate for publication and is not precedent
except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without
oral argument. *See* Fed. R. App. P. 34(a)(2).

immigration judge's denial of her application for cancellation of removal, based on her failure to establish an exceptional and extremely unusual hardship to her United States citizen children and legal permanent resident father. We dismiss the petition for review.

We lack jurisdiction to review the agency's discretionary determination that petitioner failed to show exceptional and extremely unusual hardship to a qualifying relative. 8 U.S.C. § 1252(a)(2)(B); *Mendez-Castro v. Mukasey*, 552 F.3d 975, 979 (9th Cir. 2009). Petitioner's contention that the Board failed to adequately consider and weigh all evidence of hardship does not raise a colorable due process claim. *Martinez-Rosas v. Gonzales*, 424 F.3d 926, 930 (9th Cir. 2005).

PETITION FOR REVIEW DISMISSED.